

From: [OShea, Tim \(USAWIW\)](#)
To: [Jacobs, Matthew](#)
Cc: [Ricciardi, Matt](#); [Sharda, Munish \(USAWIW\)](#); [Levine, Brian](#); [Mayers, Joshua B. \(FBI\)](#); [Joh, Elliott](#)
Subject: RE: Plea letter and information
Date: Wednesday, May 15, 2013 6:26:40 PM

The United States Attorney indicated that the prosecution team should present the case for indictment as soon as we are prepared to do so. The earliest that could occur is June 5, 2013.

You are welcome to come to Madison to discuss the case.

Timothy O'Shea

-----Original Message-----

From: Jacobs, Matthew [<mailto:mjacobs@velaw.com>]
Sent: Wednesday, May 15, 2013 7:27 AM
To: OShea, Tim (USAWIW)
Cc: Ricciardi, Matt; Sharda, Munish (USAWIW); Levine, Brian (CRM); Mayers, Joshua B. (FBI); Joh, Elliott
Subject: Re: Plea letter and information

Tim: Please let me know your availability after 3 your time today.

Thanks,
Matt

On May 2, 2013, at 6:18 AM, "OShea, Tim (USAWIW)"
<Tim.OShea@usdoj.gov<<mailto:Tim.OShea@usdoj.gov>>> wrote:

Attorney Jacobs-

Attached please find a plea letter indicating the extension until May 15 for your client to agree to plead guilty. The proposed information is unchanged.

Timothy O'Shea

From: OShea, Tim (USAWIW)
Sent: Tuesday, April 09, 2013 5:29 PM
To: 'Ricciardi, Matt'; Sharda, Munish (USAWIW)
Cc: Levine, Brian (CRM); Mayers, Joshua B. (FBI); Jacobs, Matthew; Joh, Elliott
Subject: Plea letter and information

Matt-

Attached please find the proposed plea letter and information, both of which have been approved by the United States Attorney. Our office takes the view that our discussions must proceed along multiple tracks and that one of those tracks is the possibility of a guilty plea. If we plan to stick with the May 15 indictment date if the case is not resolved by a guilty plea—as the United States Attorney plans to do—it is important that you and your client know now the general parameters of the proposed plea.

If this case is resolved with a guilty plea, I do not anticipate that the U.S. will seek an injunction under Section 1836 because the issue would be addressed by the compliance plan.

As I indicated over the telephone last week, the fine amount listed in the plea agreement represents 20% of the

anticipated restitution. As I have previously indicated, we seek a fine that is punitive and holds Sinovel accountable, but not one that cripples Sinovel nor impairs its ability to pay restitution. It follows that we welcome: (a) Sinovel's publicly-filed and translated financial documents and (b) further discussion about the amount of the fine.

We look forward to discussing this with you.

Yours,

Timothy O'Shea

<plea letter 5-2-13.pdf>
<draft information 4-9-13.pdf>

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Thank You.